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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 19-377 WHA
)	
Plaintiff,)	
)	UNITED STATES' STATUS REPORT AND
v.)	RESPONSE RE PROPOSED SCHEDULING
)	ORDER
ANTHONY SCOTT LEVANDOWSKI,)	
)	
Defendant.)	

Since the parties were last before the Court on September 24, 2019, the government has had an opportunity to review the Court's Proposed Scheduling Order and to meet and confer with defense counsel.

I. The Government's Position re Trial Date

The government's preference is to adopt the Court's Proposed Scheduling Order, with the September 28, 2020 trial date. Proceeding to trial approximately a year after the Indictment in this matter is not unreasonable, particularly given that the basic allegations against defendant have been publicly known since April 2017. The government and the public generally have an interest in the

speedy administration of justice. *See United States v. Lloyd*, 125 F.3d 1263, 1268 (9th Cir. 1997). The government is willing to consider, on a case-by-case basis, extensions of particular motions deadlines in order to accommodate potential scheduling conflicts on the part of defense counsel. However, the government's overriding goal is to begin trial as soon as practicable.

II. Status of Discovery

Regarding discovery, the government has produced 151 GB to date, consisting of approximately 443,233 pages:

DATE	BATES RANGE	DESCRIPTION	SIZE
09.24.2019	ASL_TS-000001-000379	Charged trade secret documents	421 MB
09.27.2019	STROZGOV_000001-0023526	Documents from Stroz Friedberg	11 GB
10.07.2019	UBER_USAO_00000001-00160204	Documents from Uber	25 GB
10.21.2019	FBI_PROD_000001-001715	FBI reports and documents	620 MB
10.23.2019	WAYMO-GJ-000001-0257409	Documents from Waymo	114 GB

Approximately 45 GB of data (~237,000 pages) remains to be produced, consisting of additional documents from Waymo, Google, and other third-parties. The government is producing on a rolling basis and expects to complete production of materials currently in its possession by November 29, 2019. As anticipated in the Court's Proposed Scheduling Order, the government may acquire additional Rule 16 materials in the future (*e.g.* new FBI reports), and will produce any such materials within 14 calendar days of receipt or acquisition. While the volume of discovery from the government is significant, it is less than the 315 GB of data (and millions of pages) forecast by defense counsel.¹

The government also arranged for Stroz Friedberg LLC to produce directly to defense counsel a separate repository of data collected during Uber's due diligence process with respect to its acquisition of Ottomotto LLC. That database is approximately 204 GB.

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¹ The government is unaware of how defense counsel arrived at this figure. In the meet-and-confer call on October 24, 2019, the government told defense counsel it would need to run some reports before providing totals in either GB or pages.

1 Given the progress of discovery and the history of this matter, the government believes that the
2 Court's Proposed Scheduling Order strikes an appropriate balance between the efficient administration
3 of justice and protection of defendant's Sixth Amendment rights. Accordingly, the government
4 respectfully requests that the Court enter the Proposed Scheduling Order without modification.

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6 DATED: October 28, 2019

Respectfully submitted,

7 DAVID L. ANDERSON
8 United States Attorney

9
10 _____/s/_____
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12 ANDREW F. DAWSON
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